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C O N F I D E N T I A L SECTION 01 OF 02 USUN NEW YORK 000217

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TAGS: [PGOV](#) [PREL](#) [UNMIK](#) [UNSC](#)

SUBJECT: GUEHENNO REPORTS HE WAS TOUGH WITH JEREMIC ON  
UPHOLDING 1244

REF: A. A) STATE 20678

[1](#)B. B) USUN 00206

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Classified By: Ambassador Alejandro D. Wolff, Reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: On March 6 USUN joined several EU missions in telling U/SYG Guehenno that the UN must take a firm stance in Kosovo in the face of Serb provocations. Guehenno said customs points in northern Kosovo will be re-opened soon and staffed for the time being by international civil servants. He said he had met Serbian FM Jeremic earlier in the day and warned him that provocations to violence would not be tolerated and that there can be no re-establishment of the Serbian state in Kosovo. DPKO generally seems to be micro-managing UNMIK yet also seems to be unaware of some basic circumstances on the ground. End summary.

[1](#)2. (SBU) On March 6 CDG-1 countries (U.S., UK, France, Italy, Germany and Belgium) joined by Slovenia (as EU President), met with U/SYG Guehenno to call for a firm UN stance in Kosovo in the face of Serb provocations, particularly in the north. UK DPR Pierce made points similar to those formulated by Quint (ref A) stressing:

- customs officers must return to their posts soon to prevent the creation of a new reality on the ground;
- the courthouse in north Mitrovica must continue to operate under UN auspices;
- UNMIK police must continue to operate in the north;
- UNMIK status neutrality does not mean it cannot carry out its responsibilities under 1244;
- UNMIK must maintain control over Kosovo's borders and deal effectively with provocations;
- de facto partition and Serb efforts aimed at it are unacceptable;
- it is necessary to prevent access to Kosovo for those who incite or justify violence;
- and Belgrade must not be allowed to think it can carry out actions that it could not have carried out before Kosovo's independence.

[1](#)3. (SBU) German Permrep Matussek noted that Chancellor Merkel had phoned SYG Ban earlier in the day and asked for UNMIK to err on the side of firmness in dealing with provocations. Italian Permrep Spatafora underscored that UNMIK being status neutral and carrying out responsibilities under 1244 are not mutually exclusive.

14. (SBU) Guehenno responded that he agreed UNSCR 1244 should not be compromised. He said he had met Serbian FM Jeremic earlier in the day and reminded him 1244 is in effect, also telling him Serbian Minister for Kosovo Samardzic had not distanced himself sufficiently from support for violent provocations. Guehenno assured the group the UN will not allow Belgrade to establish new facts on the ground and will re-establish customs points in northern Kosovo to preserve Kosovo as a single economic space. Guehenno said he reminded Jeremic that UNMIK can use police and call on KFOR as it re-establishes control over customs. However, repeating a previous message (ref B), Guehenno said an "understanding must be reached with Serbs," explaining that his argument to them will be that, if they believe in 1244, they should not challenge UNMIK's authority, including over customs.

15. (C) Guehenno said he had also warned Jeremic that there cannot be a re-assertion of Belgrade's authority or the Serbian state in Kosovo as that would contravene 1244 and that the UN will not be hostage to a policy of creating facts on the ground. Guehenno said the UN should continue to engage with Belgrade, which was why he had met with Jeremic. He said the UN would state clear redlines even though "some ambiguity may be necessary because clarity may exacerbate certain problems." He reported that Jeremic had also met with SYG Ban and afterwards had claimed to the press that Ban had promised not to transfer competencies in Kosovo. Guehenno explained he had disabused Jeremic of this perception during his own meeting, pointing out Ban had only said he will uphold 1244. Guehenno said he had told Jeremic unequivocally that there can be no Serb state in Kosovo and that Serbian Minister for Kosovo Samardzic should hear this too.

16. (SBU) Ambassador Wolff asked Guehenno about the status of gates 1 and 31 and the establishment of a second customs office in south Mitrovica. DPKO Kosovo Officer Bianchini

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responded that UNMIK plans to re-staff customs points with international civil servants, but that this may take a few weeks to achieve because of a need to find the human resources. Ambassador Wolff asked for clarity on whether or not UNMIK is currently carrying out customs operations in south Mitrovica. Bianchini responded that there is an office in south Mitrovica where some traffic from gates 1 and 31 is being re-directed, but said he did not have greater details to offer on what is happening there. Wolff suggested that UNMIK might close gates 1 and 31 until customs service is re-instated or divert traffic to another gate. Whatever inconvenience ensued would be Belgrade's fault following destruction of the border posts. Guehenno responded that he has an open mind, but the question is whether to create a significant inconvenience or have a period of no control while the previous customs system is being re-instated.

17. (C) Pierce also expressed concern about reports that SRSG Rucker's instructions do not allow response flexibility on the ground. Guehenno rejoined that the authority of the Security Council must be protected and that is why Rucker receives careful instructions and why it will continue. (Comment: This is an obvious disconnect between DPKO presuming to keep Rucker on a short leash and DPKO not even knowing details of the situation its instructions to Rucker is creating. End Comment.)

18. (SBU) Guehenno insisted it is important the UN continue to maintain a dialogue with Belgrade. Ambassador Wolff drew attention to Samardzic's March 2 statement that Belgrade's goal is to expand control over Serbia as a clear challenge to 1244, saying that dialogue should take place in Belgrade with the local UN representative instead of letting Samardzic into Kosovo. Guehenno agreed to consider the possibility.

Minimize Considered

